1991-92
(L.R.)

File No 47 of 199
Serial No 1-2

Sub:- Kodagi Inam Lands in Makenahalli village of the Hosakote Taluk, Bangalore District.

G. R. S. IX-5]

Previous references.

File No. 47 of 1891

Serial Nos. 1-2

191 .

(Land Rev:)

Later references.

LR 57-39-(1-14)
" 58-32 (1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for July 1892 ——

SUBJECT.

Kodagi Inam lands in Mallenahalli Village of the Hosakote Taluk, Bangalore District

---

Sadasiva Rao

W D 58—GPB—50,000—24-7-18

(2)

Kodagi Inam lands in Mallenhalli Village of Mallenhalli Taluk, Bangalore District

Letter No. 936 dated the 25th February 1892, from the Deputy Commissioner of the Bangalore District.

In the above letter the Deputy Commr. solicits orders of Government regarding the resumption of Kodagi Inams in Mallenhalli Village of Nagamangala Taluk, Mallenhalli Taluk, & one Muttalli Inam

The facts of the case are briefly as follows:—

Kodagi Inam No. 1 of Mallenhalli Village was held by one Dyavé Gowda

the lands hereinafter
described in this forfeiture
as they did exist. After
his death, according to the
Rules then in force, fell
accordingly was demanded
from his heir. As they
did not pay the amount
a notice dated 11. 4. 86 was
served on Childs family
for the deceased tenant
demanding payment
of £4. 4. 4 being arrears
due on the lands from 29. 5
to 29. 5. 86 at £3. 3. 5
per annum. No cattle
were also attached.

Childs family objected on 20. 10.
12. 11. 86 that the lands
were only forfeited
for the last 5 years and
that the eldest brother
(since deceased) being mentally
afflicted, and that under
an agreement the lands were

15.

The extent declared
upon forfeiture
cannot be accepted
as his objection
dated 12. 11. 86 states
family has
his father died about
9 or 12 years ago (date
cannot be ascertained). In his
memo dated 11. 11. 87
the inmates of Childs
state that he
died about 5
(10?)
or 7 years ago. Full
account is however
charged only from 29.
82
It may therefore be
presumed that he
died about
1879 or 1880.

managed by his uncle
Veerè Jowda, Nalei of Kathia-
-hairi who had consented
to bear all loss himself.
No 10. Veerè Jowda denied
the above allegation. He-
clared that the lands were
held by him and others
ryots who severally
by Kaidai Kandayan
& Chitlia Jowda.

The matter was
therefore referred to the
Deputy-Commr for orders.
No 11 He directed on 28. 12. 76
that the amount should
either
be collected from those
who have enjoyed the
Kadeej lands, revenue,
or by the sale of the
garden forest and other
fruit and dry crops.
He further directed that
the matter should be
brought up before him

at Exeter during January, with a statement of the late enjoyment which was duly sent. ×

No 13.

On 4th January 1887 the Q.B. Court decided that the amount, namely £4.9.4 should be collected from the 2nd enjoyer of the said Indenture dated the 1st instant. In the enquiry held by the Q.B. Court the enjoyer referred to in the statement above, alleged that they paid £4.9.4 to the Valuer and that the latter denied, and no further evidence was adduced from the payment.

No 15

We assess the £4 9 4 were paid by the 2 enjoyers and the sum were refunded

No 17

29.4.87

2

be generally regulated in their manner. Subsequent communication took place with the Survey Office in regard to the division and assessment of certain numbers of the above lands. –

Nos 18 to 20

Some Kadazidars having proceeded on ~~arbitrary~~ subordinate from the Land Office to the effect that the Kadazi Imams have been settled in a different way from the original settlement the Kadazidar, on 13.12.58, submitted for orders of Government a statement of Imams as formerly settled, and requested that the present settlement may be noted in order that there may be no difficulty

No 22

in Coloring quit seuls.

Je aiene mes journées 2 à 22
le the Jean Lefermentent
who in sending, dacides
lui le the Jundder, that
tat when the second settle-
ment is completed is
complete statement mais
le journed treeg the
by. Comm', and that
is the meantime each
application may be dis-
posed of in accordance
with the statement already
journaled.

In September 29, Fo 24
Civilité Jour de Settlement
the Jundder of Society
for the restoration of
the Jean Jude which expired
le Gaul after his father
death and that
it had been so until by

the Land Department in accordance with the terms of settlement under ... The petitioner also informed that as per his own Patwari the land were distributed among the Khalsa Land-dars in 1887, as they paid all arrears. Chitta found thus applicable of 5-9-30 to the Govt: Cannot also referred the petition to the Collector for report. In subsequent correspondence the Collector stated (+ 8-12-30) that as petitioner denied possession of the property when demand was made for arrears due, the land were conferred on him & report also were in enjoy-ment for the last 30 years and this fact of the arrears was due; that these report have

No 25

No 27

been in the enjoyment of the
land under the altered
system since the
year Annexation; that it 1887-88
was not known how
much a state of things could
be altered and that it
was not known how the
Crown Department Canada
that and until it on 1/2
quit rent in perpetuity
as petitioner, and that a
remark was also made in
the statement that the
Kadagi has been converted
into government land
and Kanakas pay rent
accordingly.

The matter was again
referred to the Chamberlain. 27 6/11/91
He stated that there was
no record in the Registrar 16/1/91
to show that the Landowner
transferred to Government

and it was therefore taken as drawn and settled accordingly in the annual settlement. It was, however, not to the credit of the Department as settlement rendered by the Treasurer of the Council to Government, previous to date of annual settlement was forwarded to him. —

No 30

21/11/

It was also not stated in the Treasurer's Annual Statement (A) that no account had been taken of drawn bills in force to the credit of the Council on the 1st July, and after the draft of the Estimates for full assessment was sanctioned.

No 2
9/5/82

It was also not stated, that bills drawn were made over to the Collectors

who have full occupancy,
so that the lands are
not attached and disposed
of in satisfaction of the
arrears of quit rent due;

(ii) that the old rates
have been superseded by
new ones; according to the
latter the question was re-
ferred; if the lands had
been previously settled
in perpetuity according to
the revised rates full
assessment would not
have been charged and
the Radajidar would
not have been deprived
of the possession for non-
-payment. and

(c) that the orders given
were clear in regard to the
retrospective effect of the
revised settlement from
date of former settlement

and the Rate of Annual Increase of Emolument for orders of Government as to the Radzyner Way of benefices.

As stated in the Memorial of Agreement Relative to Exchange orders of Govt. Her State that as stated for the Radzyner declined to take up the lands on Rawdon and pay up the arrears the same were distributed among the applicants who cultivated the lands and who paid up the arrears in 1887 by the settlement was signed by the Lieutenant Governor and Secretary Dean on behalf

quit rent that private lands
should from time to time
revert to him.

Submitted
8/3/92
Chubbers

In this case, the Kodagi
lands were practically
resumed in 1887 for arrears
due thereupon and
disposed of as ordinary
Govt land. I do not
think it was intended
that such cases should
be taken up by the Inam
Deptt and the Kodagi
tenure revived. The
orders of 1887 for the
revision of Kodagi Settle-
ment were apparently
intended to apply to
lands which were held
as Kodagi Inams on
that date, and not to lands
which were once Kodagi
but which had

Sent to
Mr Newton Phillips
for his opinion
[illegible]
10/6/92

A

asserted by Government
to come reason or other.

Submitted

Justice
& Councillors
6.6.92

[illegible]
8/6

I agree with the opinion
expressed at the end of
the memo. I should be
glad to ~~[illegible]~~ refund
Praas's ~~[illegible]~~ levied
during past years, ~~[illegible]~~
~~[illegible]~~ & continue
the Land as Quasi on
Praas's, if the Pakeens
can arrange with
the present possessors
of the Lands & regain
possession, but if
he cannot do so,
(& even he cannot do
it),

under all the
circumstances of the
case, the best course
seems to me, to
leave the Quasi Superior
settlement undisturbed,
that is treat the Land
as Quasi subject to
a ground rent equal to
Praas', & tell the
actual possessors to
pay full ass[t] to
the Quasi instead of
to Govt.— We may
distinctly say that the
Govt shall not disturb
the possess[n] of the present
holders or of their successors
during entitled to
receive full ass[t] thereon
at the usury rates, half
of which he will keep

, to himself, &
pay the other half
to Govt.— Or what
is better, the present
possessors may be asked
to pay Praas to Govt & Pr
ass[t] to the Govt.— Half of
the ass[t] already collected
may be expended in Pr

10/6/92

[illegible]
[illegible]
8/6

Submitted to Mr. Plumbe
Secretary for opinion, as
directed by the Amalie Central
Road Embankment.

Pondicherry
13th June 1911 Undersecy.

Precis of correspondence relating to the late Railway Strike in the Cocanada Taluk of the Pondicherry District to be restored to the area of the late Kadaganchar

Rept from
Admiralty
Counsellor (Rev)
5/July
I have passed
the draft - send
it to the Secretary of the Navy
for his approval
also. —
6/7/92
6/7/92

OFFICE OF THE
1881
DEWAN OF
MAR. 92
037

(General Serial No. 30.)

189/-92

From The Dy Commissioner,
Bangalore District.

To

The Chief Secretary to the Dewan
of Mysore

Dated 25th inst. } February 1892.
Despatched 29th inst. }
Received

Enclosures No. V. Papers

General No.
D No. 986.

Solicits the orders of Government regarding the Extraction of Sodyi Ouam in Mahanthalli Village, Hoskote Taluk to cure Chuke fever.

Reqr returns
Note 1/3/92

Application for a precis (3 days)
What is the date of
Defaulter's death?
Note 3/3/92

Recd 4/3/92

Submitted with
precis
8/3/92

33
4392

Dy Commissioners' Office

D. e/o. 956. Bangalore 21st

Encls 7 Papers Dated 25th February 1892

To

The Chief Secretary to the Govt
of Mysore.

Sir,

In forwarding herewith, Correspondence ending with the Inam Superintendent's Canarese Yadasht No. 511 dated 5th Instant, I have the honor to state that tank No. 41 of Markunhalli village, Yedkote Taluk, was held by one Dyave Gowda on Kadaji tenure. During the Inam settlement the lands granted for its upkeep were confirmed to him on 1/2 Gunt Cent for life only.

2. After Dyave Gowda's death, as there was a large sum of arrears, viz: Rs: 419-4-4, due

on the Kodyi Lands, a Notice of Demand was served upon Chitté Gowda, Son of Dyavé Gowda - He declined to pay the Amount on the Ground that the Kodyi Swami had gone out of his possession for 30 years and that Pitté Veeray Gowda was in possession of it. This Veeray Gowda in his turn stated that the Kodyi Lands were in the enjoyment of some other Ryots, who pay Tandeyam to Chitté Gowda. This fact being brought to the notice of the then Deputy Commissioner, during the Jamabundy of the Village, in 1886-87, he enquired into the matter, on the spot and as the Son of late Kodyi Gider / de

-cluded to take up the land on Kandayam, passed orders that the amount of arrears should be collected from the cultivating the lands, and that the Patta numbers should be entered in their names. The cultivators paid up the arrears and Pattahs were made out in their names in 1887, according to their enjoyment.

3. In 1889, the Settlement of Kodigi Inam was revised by the Inam Superintendent and confirmed as hereditary Inam on 1/2 quit rent. Chikka Gowda now wants his Kodigi Inam restored to him. The question was referred to the Superintendent of Inams, but he is of opinion that the matter

is one for Government to decide.

4. I have therefore to solicit the orders of Government on the subject.

I have the honor to be

Sir,

Your Most Obedient Servant.

J. Macaulay

Deputy Commissioner.

Mss

(3)

Read,

Letter No. 931 dated the 25th February 1922, from the Deputy Commr. Bangalore District.

En. U.P.
No 331-2 dt. 3rd July 1922
R. No 34-22 1/5

Under thereon:-

In the above letter, the Deputy Commr. solicits orders of Government regarding the restoration of Kotagi Inams in Mallenahalli Village of Vaqata Koorii, Kortagere Taluk, to one Venkatadasa

2. The facts of the case are briefly as follows:-

3. Kodagi Jandi Ryt No 24 of Mallenahalli Village was held by one Ryaré Jandas, the lands below which having been settled on him for life under the then Inam

on half assessment. after
his death in 1973 or 1974
full assessment was demanded
from Chitra Jowda, the son
of the deceased Kadazidas.
He deposed on 12th Nov. 1976,
that the lands were out of
his possession for the last
30 years and that he and
his brother (since deceased)
knew nothing of the same,
and that, under an agree-
-ment, the lands were —
managed by his uncle
Veera Jowda, late of Ellaiéa-
-thivu. The latter, however,
denied the above allegation
and stated that the lands
were held by him and
other, upon the voluntary
paid kindayam to Chitra
Jowda.

4. The matter was then
referred to the Deputy Commr.

who decided that the amount due, viz. Rs. 3-4-3, should be collected from the persons who actually enjoyed the lands. They having paid the amount, ~~were~~ Pattas were issued in their names in 1897-98.

5 The Inams were subsequently enfranchised by the Inam Department on half assessment under the revised rules, in consequence of which Chikkiè Gowda claimed their restoration; but the Deputy Commissioner refused to grant the request as he himself once declared that he had no possession of the lands and refused to pay the assessment due on them.

6 The present appeal is against this order

7. Although under the then rules in force the lands were returned and made over to third parties, and the petitioner thus lost all right to them, the Court consider that it would be equitable to allow him some benefit of the revised rules, and accordingly direct that the lands be registered in his name according to the settlement of the Chief Commissioner, or half according to the district authorities, pending final decision of the question of possession but only for such time as the full assessment of the Survey, rates and fees shall

Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue and Accounts),—dated 7th July 1892.

READ :—

Letter No. 986, dated the 25th February 1892, from the Deputy Commissioner, Bangalore District.

No. 331-2—R. F. 34-92, DATED BANGALORE, 7TH JULY 1892.

ORDER THEREON.—In the above letter, the Deputy Commissioner solicits the orders of Government regarding the restoration of the Kodagi Inams in the Makenhalli village of Vagata Hobli, Hoskote Taluk, to one Chikkegauda.

2. The facts of the case are briefly as follow :—

Kodagi Tank No. 41 of Makenhalli village was held by one Dyavegauda, and the lands below it were settled on him for life under the then rules on half assessment. After his death in 1879 or 1880 full assessment was demanded from Chikkegauda, the son of the deceased Kodagidar. He deposed on 12th November 1886 that the lands were out of his possession for the past 30 years, and that he and his brother (since deceased) knew nothing of the same, and that under an agreement the lands were managed by his uncle Viregauda, Patel of Makenhalli. The latter, however, denied the above allegation and stated that the lands were held by him and other raiyats who severally paid kandayam to Chikkegauda.

3. The matter was then referred to the Deputy Commissioner, who decided that the amount due, *viz.*, Rs. 419—4—4, should be collected from the persons who actually enjoyed the lands. They having paid the amount, Pattas were issued in their names in 1887-88.

4. The Inams were subsequently enfranchised by the Inam Department on half assessment under the revised rules, in consequence of which Chikkegauda claimed their restoration ; but the Deputy Commissioner refused to grant the request, as he himself once declared that he had no possession of the lands and refused to pay the assessment due on them.

5. The present appeal is against this order.

6. Although under the then rules in force the lands were resumed and made over to third parties, and the petitioner thus lost all right to them, the Government consider that it would be equitable to allow him some benefit of the revised rules, and accordingly direct that the lands be registered in his name according to the settlement of the Inam Commissioner on half assessment, on the distinct understanding that he should not disturb the possession of persons in possession, but only levy from them full assessment at the Survey rates and pay half of the same to Government. The excess amount paid by the persons in possession in past years may be refunded to the petitioner. If any of the present possessors are entitled to a portion of the half assessment remitted in favor of the petitioner as Kodagidar on the ground of their being *hissedars*, they are at liberty to seek redress in the Civil Courts.

T. ANANDA ROW,
Chief Secretary.

To—The Deputy Commissioner, Bangalore District,
with Vernacular papers.
The Superintendent, Inam Settlements in Mysore.

Exd.—B.G.B.

1892.

GOVERNMENT OF MYSORE.

REVENUE AND ACCOUNTS.

PROCEEDINGS.

Dated 7th July 1892.

No. 331-2.
R. F. 34-92.

Ordering the restoration on certain conditions of the Kodagi Inams in the Makenhalli village, Hoskote Taluk, to one Chikkegauda on half assessment.

Mysore Govt. C. Press, Bangalore.—14-7-92—120.

Previous references.

mB

File No.
47 of 1891-92

190

(Land Revenue)

Later references.
L.R. 56 of 1903-04.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2

PART B FOR

SUBJECT.

The Deputy Commissioners authorised to delegate to their assistants, Amildars and Deputy Amildars the power of declaring a holding forfeited when it has to be sold for arrears of revenue.

1 Serial no 1. From the Deputy Comm. Kolar Dt- letter no 178/39 dated 16.4.1891.

Requests sanction to delegate to Assistant Commissioners Amildars & Deputy Amildars the power of declaring the forfeiture of holdings liable to be sold.

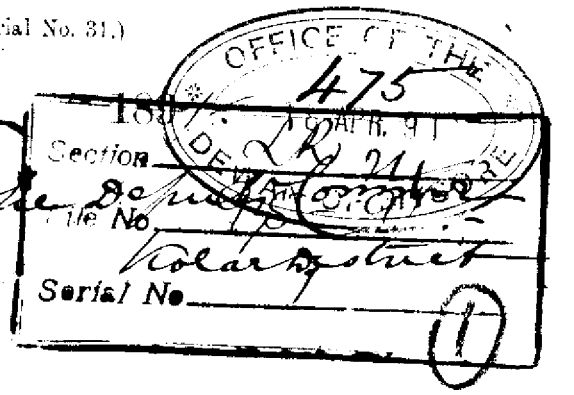
P.T.O

Serial no 2 To the Deputy Commrs of Districts and the Superintendent, Revenue Survey.

G. Ros: No 1050-8 Cir 19, dated 1st May 1891.

Authorizes the Deputy Commissioners to delegate to their assistants, Amildars and Deputy Amildars the power of declaring a holding forfeited when it has to be sold for arrears of revenue -

(General Serial No. 31.)



From The Deputy Commissioner
Kolar District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 16th April 1891
Despatched 16th
Received

Enclosures No.

General No. 178
No. 39

Requesting sanction to delegate to Assistant Commissioners, Amildars & Deputy Amildars the power of declaring the forfeiture of holdings liable to be sold.

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order.

DC Cannot authorized to delegate to Asst Commrs, Amildars, & Dy Amildars power of declaring holding forfeited when it has to be sold for arrears of Revenue.

W.C.
23/4/91

To all DC Cannot
Supdt of Rev Survey.

for Secretary to Government
Revenue Department
18/4/91

Diary No 475

No. 178
39

Deputy Commissioner's Office,
Kolar District,
Dated 16th April 1891.

To

The Chief Secretary to the
Dewan of Mysore.

Sir,

I have the honor to state that under Section 159 of the Mysore Land Revenue Code and Section 36, para 4 of the Rules framed thereunder, the power of declaring a holding forfeited prior to its sale in satisfaction of the arrears of revenue due thereon to Government vests exclusively in the Deputy Commissioner and there seems to be no provision in the rules for delegating that power to the Assistant Commissioners the Amildars and ~~the~~ Deputy Amildars without the special sanction of the Government.

2 A reference to this office by the Taluq officers in every case requiring a compliance with the aforesaid formality will entail much loss of time in correspondence

considerably retard collection of arrears.

I beg therefore with a view to the necessary coercive processes being completely adopted as promptly as possible to request sanction to delegate to the above said officers the power of declaring the forfeiture of holdings liable to be sold, in all cases in which the estimated value of such holdings does not exceed Rupees 100 in the case of Assistant Commissioners and Rupees 50 in the case of other officers. The sale will of course be subject to confirmation by me as required by Section 185 of the Code.

I have the honor to be,

Sir,

Your most Obedient Servant,

Deputy Commissioner

L R 47 of 1891-92

Section L.R. No 2

No 95-91 (2)

Serial No 2

3

Read the following ~~[illegible]~~ :-

Letter No 178-3a dated the 16th April 1891, from the Ds Comr, Kolar District, requesting sanction to delegate to Asst Comrs, Amildars and Ds Amildars, the power of declaring a holding forfeited under section 159 of the Mysore Land Revenue Code, when the same has to be sold for arrears of revenue (Here enter the letter).

Order thereon.

Agmt Extends

No. 1050-8 / Cir. 19 of 8th May 91

D.C. Comrs are hereby authorised to delegate to their Assistants, Amildars and Ds Amildars, the power of declaring a

holding forfeited when
c it has to be sold for arrears
a of revenue.

By Order.

Under Secy

To The Dy Comrs of Districts
The Supt Surveyor

Copy forwarded to the Supt
of Revenue Survey for
information

Under Secy

2/
P. 116

1891-92.

Revenue

Proceedings

No 1050-8 dt 25 May 1891
Cir 19

Authorizing the Deputy Commrs to delegate to their Assistants, Amildars, and by Amildars the power of declaring a holding forfeited when it has to be sold for arrears of revenue Urgent

163

Devanis Bill
120 copies

Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 1st May 1891.

READ—

Letter from the Deputy Commissioner, Kolar District, To the Chief Secretary to the Dewan of Mysore, No. 178—39, dated 16th April 1891.

I have the honor to state that under Section 159 of the Mysore Land Revenue Code and Section 36, para 4 of the rules framed thereunder, the power of declaring a holding forfeited prior to its sale in satisfaction of the arrears of revenue due thereon to Government rests exclusively in the Deputy Commissioner and there seems to be no provision in the rules for delegating that power to the Assistant Commissioners, the Amildars and the Deputy Amildars without the special sanction of the Government.

2. A reference to this office by the Taluk Officers in every case requiring a compliance with the aforesaid formality will entail much loss of time in correspondence and considerably retard collection of arrears. I beg therefore with a view to the necessary coercive processes being completely adopted as promptly as possible, to request sanction to delegate to the above said officers the power of declaring the forfeiture of holdings liable to be sold, in all cases in which the estimated value of such holdings does not exceed Rs. 100 in the case of Assistant Commissioners and Rs. 50 in the case of other officers. The sale will of course be subject to confirmation by me as required by Section 185 of the Code.

No. 1050-8—CIR. 19, DATED 1ST MAY 1891.

ORDER THEREON.—Deputy Commissioners are hereby authorized to delegate to their Assistants, Amildars and Deputy Amildars, the power of declaring a holding forfeited when it has to be sold for arrears of revenue.

By Order,

A. SRINIVASACHARLU,
Under-Secretary.

To—The Deputy Commissioners of Districts.
The Superintendent, Revenue Survey.

Exd.—B. G. R.

(2)

1891.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 1st May 1891.

No. 1050-8.
Cir. 19.

Authorizing the Deputy Commissioners to delegate to their Assistants, Amildars and Deputy Amildars the power of declaring a holding forfeited when it has to be sold for arrears of revenue.

Mysore Govt. Central Press, Bangalore.—8-5-91.—120.